

CABLE ADVISORY COMMITTEE MINUTES

January 29, 2024

Affiliations	Name	Present
Cable Director	Derek Frates	Yes
Committee Members	Barbara Acksen, Chairwoman	Yes
	Ronnie Medina	Yes
	Andrew Romano	Yes
	John Methia	Yes, Zoom
	Maria Carvalho	No
Select Board Representative	Leon E. Correy III	No
Recording Secretary	Stephanie Fidalgo	Yes

Opening:

Ms. Acksen opened the meeting at 5:30 PM.

Minutes:

Ms. Acksen entertained a motion to accept the meeting minutes of the May 30, 2023, meeting minutes.

Mr. Medina made the motion to accept the minutes of the May 30, 2023, meeting and was seconded by Mr. Methia. The motion passed with Ms. Acksen, Mr. Medina, and Mr. Methia in favor and Mr. Romano abstaining (3-0).

Meeting via Zoom with former Director of WCTV - Wareham, Steve Ruiz:

Ms. Acksen introduced and welcomed Steve Ruiz, former director of WCTV - Wareham Community Television, noting their previous conversations with Mr. Ruiz roughly ten years prior. Before starting the conversation, Mr. Frates welcomed the newest committee member, Mr. Romano.

Ms. Acksen prompted Mr. Ruiz to cover the history of WCTV, focusing first on its transition from a Town-controlled station to a 501(c)(3) non-profit organization. The Town aided the process by having the Select Board appoint the original seven members of the Board of Directors for the organization, who then were given staggered terms to control turnover. WCTV then went through the process of establishing itself as a 501(c)(3), per local, state, and federal regulations. Originally, WCTV held the contracts with both Comcast and Verizon, with the Town processing the quarterly payments. This shifted to a Town Meeting-approved line item, which Mr. Ruiz preferred over the establishment of an enterprise fund.

Under this method, the Town and the non-profit organization would draft a contract that outlined the duties and expectations of the non-profit. The non-profit then acted separately from the Town but submitted annual independent audit reports. Audits were required for any organization with over \$500,000 in annual revenue.

Ms. Acksen asked about how meetings were billed and how employees were handled. Mr. Ruiz answered that meetings were not broken down individually, but rather there was an agreement to cover all meetings that required recording and hybrid options. As for employees, the non-profit hired an

executive director who then handled hiring staff with advisement from the Board of Directors and the organization's by-laws.

When the Committee wished to discuss contracts, Mr. Ruiz emphasized that he was retired from WCTV and could not speak on the organization's current contract negotiations. Mr. Frates detailed how Fairhaven TV currently operates as an enterprise fund, with the funding received from Comcast split between the government and community access portions receiving 56% and the education portion run by the School Department receiving 44%. Mr. Frates did not have the exact revenue figures but estimated over \$350,000 annually. The Town's contract was set to end in 2028 and negotiations would begin in 2027.

Ms. Acksen inquired if WCTV required any additional fundraising, with Mr. Ruiz answering that they had not but they were occasionally sponsored by local businesses. Mr. Ruiz did outline other ways of earning income such as shooting commercials or running tech at conferences. WCTV had also worked with interns to help staff the organizations.

He outlined the staffing and coordinating processes. Regarding the Educational side, their educational coordinator worked in the school and the organization provided equipment to the school. Hybrid meetings would be conducted both via Zoom and live broadcast. Overall, WCTV ran on a lean staff.

Mr. Frates covered how Fairhaven handled hybrid meetings given the average of 300 meetings a year, with multiple meeting rooms and a main switcher to select the live broadcast. It is similarly small-staffed. A Town bylaw mandates that all meetings allow for remote public participation. There was a brief discussion regarding how best to use the Zoom platform for remote public participation and the effects of the COVID-19 lockdowns on production. The Committee also discussed equipment purchases and the fees charged for A/V support and editing for events hosted at Town Hall.

Mr. Ruiz then discussed the educational aspect of WCTV, covering graduation, plays, concerts, sporting events, and meetings, coordinating with their staff, interns, and the school A/V clubs. They would also help the school departments by providing physical copies to sell to student families.

The Committee and Mr. Ruiz discussed working with Attorney William Solomon to help with contract negotiations with WCTV having worked with Mr. Solomon for the past 20 years. The contracts had included a percentage share of 4% – 5%. Mr. Frates found and cited the projected revenue for Fairhaven for FY24 as \$359,000.

Mr. Ruiz explained that the main advantage of acting as a non-profit organization was full independence over both expenses and content. WCTV would allow for a wide variety of content but would control the program time slots and keep certain content to after the 10 PM watershed. Mr. Frates noted that Fairhaven TV operated similarly. The Committee and Mr. Ruiz also discussed having HD channel and fiber access, with Mr. Frates also covering how Fairhaven TV also operated the Town's social media accounts.

Mr. Ruiz outlined the disadvantages of working as a separate non-profit, mainly issues with communication and scheduling. Ms. Acksen then asked Mr. Ruiz for information on the make-up of WCTV's Board of Directors and he explained that the Board of WCTV would mainly consist of local community leaders from a wide variety of backgrounds.

Mr. Methia inquired about WCTV's educational setup, with Mr. Ruiz explaining that the Educational Coordinator based out of the High School would manage the programs, train teachers in A/V technology, and act as the staff support for the A/V Club, including covering trips to annual award ceremonies. Fairhaven, by contrast, provided funds for the School Department to run their own educational program.

Mr. Ruiz and Mr. Methia discussed the different ways to coordinate between the government and the public access side of the organization and the educational side. Mr. Ruiz explained that the Town itself would be responsible for negotiating the license contract with Comcast, or other cable companies, and then a non-profit organization had a separate contract with the Town to operate the community television. In these negotiations, Mr. Ruiz acted as a consultant to the Town.

The Committee discussed the possible benefits of moving to a non-profit organization with Mr. Ruiz, and he again emphasized that freedom was the biggest benefit. He outlined the protection afforded against budget cuts as an example. There was a discussion about the convenience afforded by having access to the Town IT Department. A follow-up conversation covered how different Towns ran their Community Television programs, including previous issues with Fairhaven's Public Access in the past.

The Committee then thanked Mr. Ruiz for his time at the end of the conversation.

Afterward, Mr. Frates stated his preference to continue with the Town's current arrangement rather than pursue the creation of a non-profit organization. The Committee then explained to Mr. Romano that previous Town Administrator Mark Reese had suggested that the Committee research various options and arrangements, and they had been doing so via meetings with other Town Community Television departments. Should Fairhaven TV become a non-profit organization, there would be additional freedom from the Town in terms of allowable content and additional avenues for revenue. Mr. Methia noted the impact of social media on giving additional platforms for content that may have previously been broadcast on community television.

Cable Director's Report: Update on the Public, Educational, and Governmental (PEG) Access (Channels 18 & 95):

Mr. Frates noted the "Find It Fast" banner on <https://www.fairhaventv.com/> which featured both live meetings and the most recently recorded meetings and the video spotlight which showcased recent community videos.

He then presented a summary of the annual report to the Committee:

Channel 18 2023		Channel 95 2023	
Meetings Broadcast	307	Events/Shows Produced	42
Events/PSAs Produced	37	Shows Imported	136
Original Programming Hours	537.25	Affiliated Access Stations	137
Community Views	46,362	Community Views	29,389
Facebook Followers	2,188	Facebook Followers	2,188
Average Watch Time	00:16:50	YouTube Subscribers and Views	486 Subscribers 17,350 Views

The number of meetings broadcast has been increasing year by year, with 2023 seeing a few more than 2022. Mr. Frates briefly touched on the PSAs produced in conjunction with Town Departments, such as:

- the Blue Envelope Program with the Fairhaven Police Department
- The rebranding of the Opioid Task Force to Fairhaven Community Outreach and their awareness nights
- The new Veterans' Services Agent on organizing and broadcasting events and parades.

- The Health Department
- The Town Clerk's Office on Elections
- The Adopt-A-Pet Series
- The Harbormaster on Permits
- The Tree Warden
- The Lagoa Friendship Committee translating videos produced in Portugal
- The Rec Center programs.
- Council on Aging with Speakers and Intergenerational Field Days
- Historical Committee streetlights
- Belonging Committee's Black History Month events, Spring food drive, and Disability Pride
- The Manjiro Festival

PSAs are hosted on YouTube and also posted on Facebook.

For Community Access, Mr. Frates praised The Magazine, particularly their most recent episode on Barbero's. The program, hosted by Charlie Murphy and produced by David Fauteux, won an Alliance for Community Media award for best independently produced magazine show and Mr. Frates traveled with the team to receive the award in Brooklyn in June. Fairhaven TV's website does have an awards corner for its award-winning content.

In connection with the Economic Development Committee, Fairhaven TV has been spotlighting new businesses. There was a brief discussion on the distribution and sharing of videos. Mr. Frates then ran down another list of community events covered, such as:

- The Father's Day Road Race
- NFIA's Concerts Under the Stars
- School Biking with the Livable Street's Committee
- Benoit Square Holiday Lighting
- Old Town Holiday

The biggest event was the Hometown Halloween Party, with 700 attendees in 2023.

For continuing programs, he noted The Family Table and Getting Personal with Patty.

The 2023 report also covered the change of members for the Committee.

FY25 Budget Update:

The proposed budget was submitted for review by the Select Board and Finance Committee. The operating budget was proposed at \$239,000 and the initial review had gone well. The department also has over \$600,000 in retained earnings to help bolster funding if need be. As stated earlier, the revenue received from Comcast was slightly up from previous years.

The Committee was still deciding which attorney to work with for the upcoming contract negotiations, having previously worked with William Solomon. Mr. Frates also suggested speaking to William August of Epstein & August, LLP before making their decision.

Ms. Acksen asked if the Committee could be forwarded the proposed budget and Mr. Frates assured that he would send the information. He did note that the education department numbers may change before the budget is finalized.

Meet The Candidates Night 2024:

For the last five years, Fairhaven TV hosted a Meet the Candidates Night to allow Candidates to answer questions from the community. This year was particularly anticipated as there were multiple Select Board seats available along with elections for other boards such as the Planning Board and Board of Health. Mr. Frates would start planning the exact date after the deadline for candidates to pull papers on February 12, 2024, with plans for the event to be one to two weeks before the election on April 1, 2024. He would be looking to collaborate with local community groups, having reached out to West Island and Ms. Acksen offered to give contact information for East Fairhaven groups.

Questions would be gathered ahead of time, with the event advertised in the Neighborhood News and across Town social media. Ms. Acksen asked about the technical setup and Mr. Frates noted that steps were being taken to ensure that the whole auditorium could hear.

Brief Update on Outreach to Attorney William Solomon Re: Cable License:

Ms. Acksen provided her update on her communications with Cable Attorney William Solomon. She had previously invited Mr. Solomon to come speak to the Committee and he had drafted an agreement to be sent to the Town Administrator explaining that he would attend a meeting at no expense to the Town and that there would be no expectation for him to be the Attorney for the upcoming contract negotiation. However, Ms. Acksen had yet to hear if the agreement had been sent or approved.

Mr. Methia suggested speaking to a municipality that was currently involved in negotiations to gather insight into the current process. Mr. Frates would reach out to his contacts in New Bedford and Dartmouth. Ms. Acksen had reached out to the current directors at Wareham Community Television as they were involved in negotiations, but they unfortunately did not have any additional free time. Mr. Frates did wonder if the Town could be allowed a portion of the internet fees, which Mr. Methia supported. Contracts were also being negotiated for shorter periods, such as five years as compared to ten. Ms. Acksen suggested finding other municipalities that had recently finished negotiations.

Mr. Methia also praised the quality of Fairhaven TV's productions and the need to ensure that they continue. Mr. Frates would like to see the Town be granted an HD channel.

Brief Update on Broadband / Municipal Light Board:

The Chair of the Broadband Study Committee, Mr. Sean Powers, had proposed two Town Meeting articles. One would be to create an Enterprise Fund to handle grant money awarded for Broadband infrastructure. This came about to find a use for the previously awarded \$250,000 Community Compact Grant after the Housing Authority had voted down using the funds. The other article would allow the Town to borrow money to create infrastructure for broadband within the Town's business district. There was also discussion on why the Housing Authority did not accept the funds, possibly due to maintenance issues.

Currently, Mr. Espindola is acting as the liaison to the Massachusetts Broadband Coalition. On February 14, 2024, Fairhaven would host an MBC meeting. On January 30, 2024, the Broadband Study Committee will be hosting a session on Broadband and Digital Equity in conjunction with the Massachusetts Broadband Institute and CTC Technology & Energy on underserved communities. A report would then go to the State to help determine if the Town would receive funds to help with Digital Equity initiatives.

Other Business:

Ms. Acksen and Mr. Frates noted that there was currently a vacancy for the Cable Advisory Committee's

Representative to the Broadband Study Committee since Mr. Thomas McAfee had resigned. Mr. Frates inquired if Mr. Romano would be interested in taking on the role, given that both Mr. Methia and Mr. Medina had previously served as the representative.

Mr. Methia nominated Mr. Romano to serve as the Cable Advisory Committee's representative to the Broadband Study Committee, seconded by Mr. Medina and Mr. Romano accepted. The election passed with Ms. Acksen, Mr. Methia, and Mr. Medina in favor. (3-0)

Mr. Methia made a motion to adjourn at 7:14 PM and was seconded by Mr. Romano. The motion passed unanimously.

Respectfully submitted,

Stephanie A. Fidalgo
Recording Secretary,
Cable Advisory Committee